

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KERRY X MARSHALL,
Plaintiff

v.

TOM CORBETT, ET AL.,
Defendants

: No. 3:13cv2961
:
: (Judge Munley)
:
: (Chief Magistrate Judge Schwab)
:
:

ORDER

AND NOW, to wit, this 27th day of September 2019 it is hereby **ORDERED**
as follows:

- 1) The defendants' objections (Doc. 188) to Chief Magistrate Judge Schwab's report and recommendation are **OVERRULED**;
- 2) The report and recommendation (Doc. 186) is **ADOPTED**;
- 3) The plaintiff's motion for preliminary injunction (Doc. 93) is **GRANTED** with regard to the Department of Corrections ("DOC") allowing him to wear a Nation of Islam fez and the DOC is directed to permit plaintiff to purchase and wear the fez. The motion is **DENIED** in all other respects;
- 4) The plaintiff's "motion to enforce the due process of and to end the inordinate delay of plaintiff's motion for preliminary injunction" (Doc. 129) is **DENIED** as moot; and
- 5) The Clerk of Court is directed to remand this case to the magistrate judge for further proceedings.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court